

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

06-cv-499

01-CR-376

BRUCE H. MASON,

Defendant.

Thomas J. McAvoy, U.S.D.J.

DECISION & ORDER

Petitioner Bruce H. Mason moves for reconsideration of this Court's denial of his motion for habeas corpus relief.

To be entitled to reconsideration, Petitioner "'must demonstrate that the Court overlooked controlling decisions or factual matters that were put before it on the underlying motion.'" Eisemann v. Greene, 204 F.3d 393, 395 n. 2 (2d. Cir 2000) (quoting Shamis v. Ambassador Factors Corp., 187 F.R.D. 148, 151 (S.D.N.Y. 1999)); see also Shrader v. CSX Transp., Inc., 70 F.3d 255, 256-57 (2d Cir. 1995). Petitioner "may neither repeat 'arguments already briefed, considered and decided,' nor 'advance new facts, issues or arguments not previously presented.'" In re Application of the United States, --- F. Supp. 2d ---- (E.D.N.Y. Oct. 25, 2005)

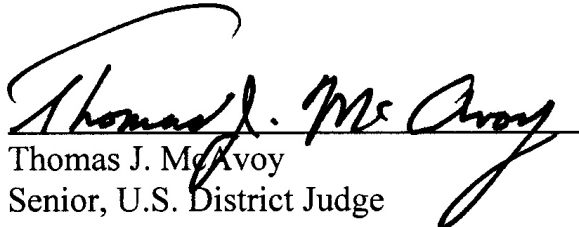
(quoting Schonberger v. Serchuk, 742 F.Supp. 108, 119 (S.D.N.Y. 1990)).

Petitioner has failed to meet his burden. Petitioner fails to point to any controlling decisions or factual matters that the Court overlooked. The Court has fully considered Petitioner's arguments in support of his motion for habeas corpus relief (including his claims that his counsel was deficient and that the government withheld evidence) and finds them to be without merit.

For the foregoing reasons, Petitioner's motion for reconsideration is **DENIED**.

IT IS SO ORDERED.

DATED: September 8, 2006


Thomas J. McAvoy
Senior, U.S. District Judge